

**REGULAR CITY COUNCIL MEETING
FRISCO MUNICIPAL COMPLEX
8750 MCKINNEY ROAD
COUNCIL CHAMBERS
FRISCO, TEXAS 75034
DECEMBER 5, 2000, 6:30 P.M.**

MINUTES

1. Call to Order/Roll Call.

Mayor Seei called the Meeting to order at 6:30 p.m. and announced a quorum was present.

Those present were: Mayor Seei, Mayor Pro Tem Reveal, Councilmember Osuna, Councilmember Maso, Councilmember Simpson, and Councilmember Nichols.

Staff present: George Purefoy, City Manager, Jason Gray, Assistant to the City Manager, John Lettellier, Director of Planning, Frank Jaromin, City Engineer, Nan Parker, City Secretary, and Richard Abernathy, City Attorney.

Deputy Mayor Pro Tem Downey was absent due to illness.

2 Invocation.

Mayor Seei delivered the invocation.

3. Proclamation honoring Brownie Troop 2938.

Mayor Seei presented a proclamation to Brownie Troop 2938.

**4. Presentation of Colors by Brownie Troop 2938.
Pledge of Allegiance.**

Brownie Troop 2938 presented the colors and delivered the pledge of allegiance.

5. Citizen Input. (To begin approximately at 7:30 p.m.)

Dr. Ernest Martin spoke regarding the involuntary annexation of his property.

Audie Atkins, commended the City and staff of Code Enforcement for the resolving of the courtyard issue at the new Chamber of Commerce office.

Sarah Kimnich spoke concerning the sign ordinance.

6. Discussion regarding municipal, state and federal elections with Sharon Rowe, Voter Registrar, Collin County and Don Alexander, Voter Registrar, Denton County.

Sharon Rowe was not present.

Don Alexander explained the procedure on elections.

Councilmember Maso suggested having the precinct number be displayed outside.

Councilmember Simpson stated that according to the Secretary of State, Collin County uses the punch card and Denton County uses optical scan.

7. Reports.

- A. Council report on "City Celebrations" for municipal projects successfully completed.

John Lettelleir reported that he and Jeff Witt attended Civics Classes at Frisco High School.

Councilmember Simpson reported on the Merry Main Street that was held on December 1, 2000.

Mayor Pro Tem Reveal announced that the Parks Department is sponsoring the Tournament of Champions of the Soccer Associates.

Mayor Seei made the following announcements:

1. December 13, 2000 at 4:15 p.m. – Chamber Board Room to meet with Assistant from Senator Phil Gramm's office.
2. December 12, 2000 from 7:00 p.m. to 8:30 p.m. – meeting with Florence Shaprio
3. Open House on Saturday, December 9, 2000 at 3:00 p.m. and at 6:30 p.m. the Frisco Ballet will present "The Nutcracker"

Councilmember Nichols thanked the City for Merry Main Street and invited everyone to Christmas on the Corner on December 9, 2000 from 7:00 p.m. to 9:00 p.m. located in Plantation Resort.

Councilmember Maso announced the opening of the County Sub-Courthouse.

Frank Jaromin announced that on Saturday and Sunday, the railroad track at FM 720 will become smoother and that the press releases are on the website.

- B. City Manager's report on items discussed on Agenda Item No. 35 at City Council Meeting of September 19, 2000, Agenda Item No. 35 at City Council Meeting of

October 17, 2000, Agenda Item No. 34 at City Council Meeting of November 7, 2000 and Agenda No. 28 at City Council Meeting of November 21, 2000.

There was no discussion on this item.

C. Staff report on Information Technology Advisory Group.

Jason Gray updated the Council on the Information Technology Advisory Group. No action was taken. He announced that the next meeting will be at 5:00 p.m. at City Hall on Monday, December 12, 2000.

D. Staff report on traffic calming.

John Lettellier reported on Plantation Lane. Todd Renshaw reported on the traffic analysis. This was discussion only no action was taken.

8. Consent Agenda:

The consent agenda was considered for approval, excluding item #S. Councilmember Nichols moved to pull item #S. Mayor Pro Tem Reveal seconded the motion. Motion carried. Vote: 5-0. Councilmember Maso made a motion to approve the consent agenda, excluding item #S. Councilmember Nichols seconded the motion. Motion carried. Vote: 5-0.

- A. Consider and act upon approval of the Minutes of the Regular City Council Meeting held on November 21, 2000 and the Work Session held on November 27, 2000.
- B. Consider and act upon authorization to advertise for bids for one or more ambulances.
- C. Consider and act upon approval of Invoice No. 00-303 for Community Development Software to CRW Associates in the amount of \$13,008.40.
- D. Consider and act upon approval of Invoice No. 1158276 for Warren Sports Complex, Phase 4 to Carter & Burgess in the amount of \$47,955.82.
- E. Consider and act upon approval of Invoice No. 1158277 for Warren Sports Complex, Phase 3 to Carter & Burgess in the amount of \$1,923.72.
- F. Consider and act upon approval of Invoice No. 12759A for the Southwest Community Park Master Plan to Newman, Jackson, Bieberstein in the amount of \$415.05.
- G. Consider and act upon approval of Invoice No. 12759 for the Trails Neighborhood Park Master Plan to Newman, Jackson, Bieberstein in the amount of \$2,570.04.

- H. Adoption of **Resolution No. 00-12-01R** approving Supplemental Tax Roll No. 13 for 1999.
- I. Adoption of **Resolution No. 00-12-02R** approving Supplemental Tax Roll No. 3 for 2000.
- J. Consider and act upon approval of Change Order No. 1 for Wastewater Reuse System - Phase I to Dickerson Construction Co., Inc. in the amount of \$62,049.27.
- K. Consider and act upon approval of Final Payment for Frisco Water Reuse System, Phase I to Dickerson Construction Co., Inc. in the amount of \$50,785.21.
- L. Consider and act upon approval of Final Payment for Coit Rd. & Lebanon Rd. to Tiseo Paving Company in the amount of \$10,314.26.
- M. Consider and act upon Final Acceptance of Project No. 170, Lakes of Legacy Dr., Phase 5.
- N. Consider and act upon Final Acceptance of Project No. 187, Gaylord Parkway and Ohio Drive.
- O. Consider and act upon Final Acceptance of Project No. 151, Lowe's Site Work.
- P. Consider and act upon approval of Pay Request No. 5 for Stewart Creek Bridge to J-N Construction Co., Inc. in the amount of \$51,908.00.
- Q. Consider and act upon approval of Pay Request No. 5 for Stonebrook Parkway to Mario Sinacola & Sons in the amount of \$118,833.44.
- R. Approval of a Consulting Agreement for engineering services in the construction of Wade Blvd., west of Preston Road, 4 lanes divided, within 100 calendar days after receiving notice to proceed by and between RLK Engineering and the City of Frisco and adopt **Resolution No. 00-12-03R** authorizing the City Manager to sign same.
- S. Consider and act upon approval of Change Order No. 2 for Gaylord Parkway and Ohio Drive, Phase I to L.H. Lacy Company in the amount of \$64,210.00.**

Frank Jaromin stated that Change Order No. 2 is for \$86,881.29 subject to a lower bidder.

Councilmember Maso made a motion to approve the change order subject to award to the lowest bidder. Councilmember Simpson seconded the motion. Motion carried. Vote: 5-0.

- T. Consider and act upon approval of Pay Request No. 6 for First Street, North County Rd. & FISD Facility Expansion to Mario Sinacola & Sons in the amount of

\$186,841.87.

END OF CONSENT AGENDA

9. Legislative Agenda:

The legislative agenda was considered for approval, excluding items #L and #T. Councilmember Osuna moved to pull item #L. Councilmember Nichols seconded the motion. Motion carried. Vote: 5-0. Councilmember Simpson made a motion to pull item #T. Mayor Pro Tem Reveal seconded the motion. Motion carried. Vote: 5-0. Councilmember Simpson made a motion to approve the legislative agenda, excluding items #L and #T. Councilmember Nichols seconded the motion. Motion carried. Vote: 5-0.

- A. Adoption of **Ordinance No. 00-12-04** annexing 35 acres, more or less, located at the southeast corner of Preston Road and S.H. 380. (Case A2000-11)
- B. Adoption of **Ordinance No. 00-12-05** annexing 24.616 acres, more or less, located at the southeast corner of the future Tollway and S.H. 380. (Case A2000-12)
- C. Adoption of **Ordinance No. 00-12-06** amending PD-155 (Griffin Parc, Phase 2) (Z2000-40)
- D. Consider and act upon approval of a Final Plat: Griffin Parc - Phase 2 Applicant(s): Frisco Legacy Ltd. PS. 197 Single-Family lots and 44 Townhome lots on 70.1± acres on the south side of Eldorado Parkway, 750± feet east of Teel Parkway. Zoned: Planned Development Single-Family-5-Townhome. Neighborhood #45.
- E. Consider and act upon assessment of Impact Fees for Griffin Parc, Phase 2.
- F. Adoption of **Ordinance No. 00-12-07** authorizing the issuance of City of Frisco, Texas Combination Tax and Revenue Certificates of Obligation, Series 2000-A, in the principal of \$15,000,000.
- G. Consider and act upon approval of a Site Plan & Final Plat: Frisco Market Place, Block A, Lot 4 (Eckerd Drug). Applicant(s): JDN Real Estate - Frisco L.P. and Sam Noel. A retail building on one lot on 1.5± acres on the southeast corner of Preston Road and Rolater Drive. Zoned Commercial-1. Neighborhood #24.
- H. Consider and act upon assessment of Impact Fees for Frisco Market Place, Block A, Lot 4 (Eckerd Drug).
- I. Consider and act upon approval of Amended Plat: Heritage Lakes - Phase 1, Block Q, Tract 1-R and Heritage Lakes - Phase 2. Applicant(s): Heritage Lakes Joint Venture and Blackard Development, Inc. 127 Single-Family lots and one

open space lot on 37.8± acres on the west side of Crescent Way, 300± feet south of Lebanon Road. Zoned Planned Development-80. Neighborhood #36.

- J. Consider and act upon approval of a Site Plan, Final Plat & Conveyance Plat: SWC Tollway at Stonebrook Addition, Block A, Lots 1 and 2. Applicant(s): BancGroup Investments. A convenience store with gas pumps and a dry cleaners on two lots on 6.6± acres on the southwest corner of the Dallas North Tollway and Stonebrook Parkway. Zoned Planned Development-128-C-1/MF-2. Neighborhood #22.

- K. Consider and act upon assessment of Impact Fees for SWC Tollway at Stonebrook Addition, Block A, Lot 1.

- L. Consider and act upon approval of a Final Plat: Parkside Estates No. 2. Applicant(s): Shaddock Developers, Ltd. 62 Single Family-4 lots on 17.7+ acres on the south side of Rolater Road, 1,800+ feet east of Hillcrest Road. Zoned Single Family-4. Neighborhood #25.**

John Lettellier updated Council on staff and Planning and Zoning Commission recommendations.

There was a discussion regarding a substation, following discussion Councilmember Osuna made a motion to approve the final plat subject to:

1. Additions and/or alterations to the engineering plans as required by the Engineering Department.
2. Final acceptance of Rolater Drive prior to final acceptance of Parkside Estates No. 2.

City Council requested that staff send a letter to the applicant requesting that the applicant inform potential homebuyers that a future electrical substation may be located adjacent to the subdivision. The letter is attached and made a part of the minutes.

Councilmember Nichols seconded the motion. Motion carried. Vote: 5-0.

- M. Consider and act upon assessment of Impact Fees for Parkside Estates No. 2.
- N. Consider and act upon approval of a Final Plat: The Lakes of Preston Vineyards Villages, Phase 4. Applicant(s): Douglas Properties, Inc. 71 Two Family lots (142 units) on 22.0± acres on the south side of future Rolater Drive, 500± feet east of Hillcrest Road. Zoned Planned Development-38-Multi-Family-2. Neighborhood #25.
- O. Consider and act upon assessment of Impact Fees for The Lakes of Preston Vineyards Villages, Phase 4.

- P. Consider and act upon approval of a Revised Preliminary Site Plan: Lowe's Frisco Addition Block A, Lots 9, 10, & 11. Applicant(s): W. John Hammerback and The Lissiak Company, Inc. A retail center on three lots on 5.4± acres on the southwest corner of Preston Road and Warren Parkway. Zoned Commercial-1. Neighborhood #29.
- Q. Consider and act upon approval of a Final/Conveyance Plat & Site Plan: Lowe's Frisco Addition Block A, Lots 9, 10, & 11. Applicant(s): W. John Hammerback & Makens Company. A bank on three lots on 5.4± acres on the southwest corner of Preston Road and Warren Parkway. Zoned Commercial-1. Neighborhood #29.
- R. Consider and act upon assessment of Impact Fees for Lowe's Frisco Addition Block A, Lot 10.
- S. Adoption of **Ordinance No. 00-12-08** amending Ordinance No. 86-07-01 establishing meeting dates for the Planning & Zoning Commission to reflect meeting the second and fourth Tuesday of each month.
- T. Adoption of Ordinance No. 00-12-10 amending Ordinance No. 95-10-22 (Frisco Building Code) adding additional requirements for the construction of hotels and motels.**
- Councilmember Simpson made a motion to adopt **Ordinance No. 00-12-10**. Mayor Pro Tem Reveal seconded the motion. Motion carried. Vote: 5-0.
- U. Adoption of **Ordinance No. 00-12-09** amending the Section 7 of the Subdivision Regulation Ordinance providing for street lengths. (Z2000-44)

END OF LEGISLATIVE AGENDA

Items #27 and #28 were heard at this time. Then Items #19 and #31 were heard.

Regular Agenda:

10. Discussion regarding recommendation of the location of Heritage Park by the Heritage Association of Frisco.

Bob Warren representing Heritage Association recommended the City put a park in Frisco Square.

11. Discussion on a request from the Heritage Association of Frisco regarding a replica of the old Frisco RR depot.

Erwin Pink, M.D., presented this item and was available for questions.

12. Consider and act upon a Landscape Plan for Frisco EZ Storage, Block A, Lots 1-5 Applicant(s): Frisco EZ Storage, L.L.C. Four (4) office buildings and a self-

storage/mini-warehouse on 11.0+ acres on the southwest corner of Woodstream Drive and Stonebrook Parkway. Neighborhood #23.

Items #12 and #13 were heard and discussed together.

John Lettellier stated that the applicant has agreed to do landscaping along the entire frontage of Stonebrook.

Kirk Williams addressed the Council regarding the landscape issues and that it is the intent to put the landscape in at the end of the construction of EZ-Storage.

Councilmember Osuna made a motion to approve the landscape plan. Councilmember Nichols seconded the motion. Motion carried. Vote: 5-0.

13. Adoption of Ordinance No. 00-12-11 granting a Specific Use Permit for a self-storage/mini-warehouse facility (EZ Storage). (SUP2000-29)

Items #12 and #13 were heard and discussed together.

Councilmember Osuna made a motion to adopt **Ordinance No. 00-12-11** subject to the hours being 6:30 a.m. to 9:00 p.m. and attachment of Exhibit "C" to be referenced in the ordinance. Exhibit "C" being Recorded Deed Restrictions and subject to amendment of Deed Restrictions Paragraph II and no outside storage. Councilmember Simpson seconded the motion. Motion carried. Vote: 4-0-1, with Councilmember Nichols voting nay.

Items #20, #21, and #22 was heard at this time.

14. Consider and act upon the selection of consultants for the Preston Road Implementation Plan.

Councilmember Simpson made a motion to accept PGAL as the consultant for the Preston Road Implementation Plan to SH 380 contingent upon acceptance of contract by the City Council. Councilmember Osuna seconded the motion. Motion carried. Vote: 5-0.

15. Consider and act upon re-scheduling the February 20, 2001 City Council Meeting due to Collin County Day in Austin.

After discussion, Councilmember Osuna made a motion to re-schedule the February 20, 2001 City Council meeting to February 19, 2001. Councilmember Simpson seconded the motion. Motion carried. Vote: 5-0.

16. Consider and act upon appointment of seven members to the TIRZ #1 Board.

Councilmember Osuna made a motion to appoint the existing City Council to the TIRZ #1 Board. Mayor Pro Tem Reveal seconded the motion. Motion carried. Vote: 5-0.

17. Consider and act upon authorization for paperless agenda.

After discussion, Councilmember Maso made a motion to authorize the staff to move forward on the paperless agenda. Mayor Pro Tem Reveal seconded the motion. Motion carried. Vote: 5-0.

18. Adoption of Ordinance No. 00-12-12 regulating smoking in public places in the City of Frisco with certain exceptions. Tabled at the City Council Meeting on November 21, 2000.

Tony Felker addressed Section 4B – “may declare entire establishment or facility as a non-smoking ordinance” then could it be reversed to 100% smoking.

Mayor Seei read into the record three letters from Donna Ryan, supported the ordinance with six months; Tara Stevens, support reduce time frame; and Bill and Monica Jackson, support.

Richard Galvin, Manny’s Grill, spoke in opposition.

Councilmember Osuna made a motion to adopt **Ordinance No. 00-12-12** subject to deletion of “not only the smoker” from Paragraph 1, change from 10 linear feet to 20 linear feet in Section 4.A.9, and deletion of “not available to or customarily used by the general public” and adding “designated smoking areas by employer in Section 8.F, and changing January 2, 2002 to June 30, 2001 in Section 8.G. Councilmember Nichols seconded the motion. Motion carried. Vote: 5-0.

Item #26 was heard at this time.

19. Public Hearing: Specific Use Permit SUP2000-38 Applicant(s): Jeff and T. O. Scherer A request for a Specific Use Permit (SUP) for a Metal Building on 10.0+ acres on the east side of C.R. 114 (future Independence Parkway), 1,200+ feet north of C.R. 22 (future Eldorado Parkway). Zoned Agricultural and SUP #72 for a Commercial Nursery. Neighborhood #6. Consider and act to instruct staff to prepare an ordinance on the above request. Tabled at the City Council Meeting on November 21, 2000.

Staff requested that this item be tabled to the December 19, 2000 per the applicant request.

Councilmember Osuna made a motion to table this item to the December 19, 2000 at the request of the applicant. Councilmember Nichols seconded the motion. Motion carried. Vote: 5-0.

20. Public Hearing: Zoning Case Z2000-46 Applicant(s): Real Property Exchange, Gene McCutchin, and DRHI, Inc. A request to rezone 147.2± acres on the north side of Main Street (F.M. 720), 850± feet west of Legacy Drive from Agricultural

(50.7± acres), Single-Family-4 (33.5± acres), Commercial-2 (13.0± acres), and Industrial (50.0± acres) to Planned Development-Patio Home (46.0± acres) / Single-Family-5 (101.2± acres). Neighborhood #45. Consider and act to instruct staff to prepare an ordinance on the above request. Tabled at the City Council Meeting on November 21, 2000.

Councilmember Nichols stepped down from the table and abstained from discussion and voting.

Mayor Pro Tem Reveal made a motion to remove from table. Councilmember Osuna seconded the motion. Motion carried. Vote: 4-0.

Councilmember Osuna made a motion to open the public hearing. Mayor Pro Tem Reveal seconded the motion. Motion carried. Vote: 4-0.

John Lettelleir requested to approve as submitted.

Councilmember Simpson made a motion to close the public hearing. Mayor Pro Tem Reveal seconded the motion. Motion carried. Vote: 4-0.

Councilmember Simpson made a motion to approve the zoning case and requested that the staff prepare an ordinance. Councilmember Osuna seconded the motion. Motion carried. Vote: 4-0-1, with Councilmember Nichols abstaining.

21. Consider and act upon approval of a Concept Plan: King's Garden Applicant(s): Real Property Exchange, Gene McCutchin, and DRHI, Inc. 233 Single-Family-5 lots, 203 Single-Family-4 lots, and three open space lots on 142.5± acres on the north side of Main Street (F.M. 720), 900+ feet west of Legacy Drive. Zoned Agricultural, Single-Family-4, Commercial-2, and Industrial. Requested zoning is Planned Development-Single-Family-5/Single-family-4. Neighborhood #45. Tabled at the City Council Meeting on November 21, 2000.

John Lettellier requested that the concept plan be approved.

Mayor Pro Tem Reveal made a motion to approve the concept plan subject to the staff's comments:

1. City Council approval of the Zoning Case Z2000-46.
2. Final acceptance of Heather Ridge – Phase II-B prior to final acceptance of the second phase of King's Garden as shown on the concept plan.
3. City Council and City Engineer approval of a waiver to the requirement for alleys subject to the lots being designed without lot-to-lot drainage.

Councilmember Maso seconded the motion. Motion carried. Vote: 4-0-1, with Councilmember Nichols abstaining.

22. Consider and act upon approval of a Preliminary Plat: King's Garden Applicant(s): Real Property Exchange, Gene McCutchin, and DRHI, Inc. 233

Single-Family-5 lots, 203 Single-Family-4 lots, and three open space lots on 142.5± acres on the north side of Main Street (F.M. 720), 900+ feet west of Legacy Drive. Zoned Agricultural, Single-Family-4, Commercial-2, and Industrial. Requested zoning is Planned Development-Single-Family-5/Single-family-4. Neighborhood #45.

Mayor Pro Tem Reveal made a motion to approve the preliminary plat subject to staff comments:

1. City Council approval of Zoning Case Z2000-46.
2. Final acceptance of Heather Ridge - Phase II-B prior to final acceptance of the second phase of King's Garden as shown on the preliminary plat.
3. City Council and City Engineer approval of a waiver to the requirement for alleys subject to the lots being designed without lot-to-lot drainage.

Councilmember Osuna seconded the motion. Motion carried. Vote: 4-0-1, with Councilmember Nichols abstaining.

After Item #22 was heard, the Council heard Item #18 at this time.

Councilmember Maso made a motion to move Item #18. Councilmember Osuna seconded the motion. Motion carried. Vote: 5-0

23. Public Hearing - Replat: Stonebriar Center - Phase 3, Block A, Lot 1 (Hall Office Park - Phase B1, Block A, Lot 1). Applicant(s): Hall Stonebriar Three Associates Ltd. and Hall Financial Group, Ltd. An office building on one lot on 7.7± acres on the south side of Gaylord Parkway, 350+ feet west of the Dallas North Tollway. Zoned Planned Development-59. Neighborhood #34.

Mayor Pro Tem Reveal made a motion to open the public hearing. Councilmember Maso seconded the motion. Motion carried. Vote: 5-0.

Councilmember Nichols made a motion to close the public hearing. Mayor Pro Tem Reveal seconded the motion. Motion carried. Vote: 5-0.

Mayor Pro Tem Reveal made a motion to approve the replat. Councilmember Nichols seconded the motion. Motion carried. Vote: 5-0

24. Consider and act upon approval of a Site Plan & Final Plat: Hall Office Park - Phase B2, Block A, Lot 1. Applicant(s): Hall Phoenix Inwood, Ltd., 15% and Hall Financial Group, Ltd. A seven-story office building on one lot on 8.4± acres on the east side of Network Boulevard, 550± feet south of Gaylord Parkway. Zoned Planned Development-59. Neighborhood #34.

John Lettellier requested that the site plan and final plat be approved.

Mayor Pro Tem Reveal made a motion to approve the site plan and final plat subject to staff's comments:

Site Plan

Staff approval of landscape plans.

Final Plat

1. Additions and/or alterations to the engineering plans as required by the Engineering Department.
2. Engineering Department approval of a flood plain reclamation study.
3. City Council acceptance of Internet Boulevard and Network Boulevard to provide two points of access to the property.
4. City Council approval and filing of the replat of Stonebriar Center - Phase 3, Block A, Lot 1.
5. Filing of the off-site fire lane and access easements prior to City Council acceptance of public improvements for this development.

Councilmember Osuna seconded the motion. Motion carried. Vote: 5-0.

25. Consider and act upon assessment of Impact fees for Hall Office Park - Phase B2, Blk. A, Lot 1.

Councilmember Osuna made a motion to approve the impact fees. Councilmember Simpson seconded the motion. Motion carried. Vote: 5-0

26. Public Hearing: Zoning Case Z2000-57. Applicant(s): Bert Fields, Jr. A request to rezone 441.0+ acres on the southwest corner of Legacy Drive and Citation Court from Agricultural to Information & Technology. Neighborhood #39. Consider and act to instruct staff to prepare an ordinance on the above request.

Councilmember Maso made a motion to open the public hearing. Councilmember Osuna seconded the motion. Motion carried. Vote: 5-0

John Lettellier explained the information technology.

William Cothran represented Bert Fields, the applicant.

Craig Curry spoke in favor.

There being no one else to speak in favor or opposition, Mayor Pro Tem Reveal made a motion to close the public hearing. Councilmember Nichols seconded the motion. Motion carried. Vote: 5-0

Councilmember Osuna made a motion to instruct the staff to prepare an ordinance. Councilmember Simpson seconded the motion. Motion carried. Vote: 5-0

After Item #26 was heard, then went back to Item #14 and continued the rest of the

agenda in order.

27. Consider and act upon adoption of an Ordinance amending the Zoning Ordinance creating Original Town Residential (OTR) and Original Town Commercial (OTC) Districts. (Z2000-42)

John Lettellier updated the Council on the Planning and Zoning Commission and staff's recommendation.

Roslyn Rood and Tammy Kurth spoke in favor of OTR. Pam Alexander spoke in favor of OTC. Jim Fox spoke in favor. Jose Gonzales, Del Camacho and Carlos Trujillo spoke against OTC. Don Burks, Downtown Merchants, spoke in support of the plan originally approved.

Mayor Pro Tem Reveal moved to approve the Planning and Zoning Commission and staff's recommendations. The motion died due to lack of a second.

Councilmember Simpson moved to approve OTC. Motion dies lack of a second.

Councilmember Maso moved to table the ordinance. Councilmember Simpson seconded the motion. Councilmember Maso withdrew his motion. Councilmember Simpson withdrew his second.

Councilmember Maso made a motion to table the ordinance. The motion dies due to lack of a second.

Councilmember Simpson made a motion to approve OTC and OTR. Councilmember Osuna seconded the motion. Vote: 2-2, with Mayor Pro Tem Reveal and Councilmember Nichols in opposition.

Councilmember Osuna made a motion to table the ordinance. Councilmember Maso seconded the motion. Motion carried. Vote: 4-1, with Councilmember Nichols in opposition.

28. Consider and act upon adoption of an Ordinance rezoning 184.7 acres to Original Town Residential (OTR) and Original Town Commercial (OTC). (Z2000-41)

Mayor Pro Tem Reveal made a motion to table the ordinance. Councilmember Osuna seconded the motion. Motion carried. Vote: 4-1, with Councilmember Nichols in opposition.

29. Discussion of seven clean and beautiful standards.

There was no discussion. To be brought back to the December 19, 2000 City Council meeting.

30. Discussion regarding the S.H. 121 Overlay District.

John Lettellier explained the overlay.

This was discussion only and no action was taken.

31. Discussion on construction standards for west Frisco regarding soil conditions.

Travis Roberts discussed the construction standards for west Frisco regarding said conditions. Mr. Roberts also informed the Council that the staff has an extensive checklist. He also stated that the responsibility of the builders is to furnish characteristics of soils and they must have an engineer seal on each plan and engineer designed slab.

This was discussion only, no formal action was taken.

32. Consider and act upon approval of an Agreement for the Construction of Hillcrest Road and Ohio Drive and related Storm Sewers and other Infrastructure Improvements by and between Creekwood Hillcrest L.P. and the City of Frisco and adopt a Resolution authorizing the City Manager to sign same.

Councilmember Osuna made a motion to table the agreement. Councilmember Maso seconded the motion. Motion carried. Vote: 5-0

33. Consider and act upon approval of an Agreement for right-of-way dedication and drainage improvements by and between Lee Financial, F.I.S.D. and the City of Frisco and adopt a Resolution authorizing the City Manager to sign same.

Councilmember Maso made a motion to table the agreement. Councilmember Simpson seconded the motion. Motion carried. Vote: 5-0

34. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit:

Councilmember Maso made a motion to recess in closed session at 12:50 a.m. Councilmember Nichols seconded the motion. Motion carried. Vote: 5-0.

35. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

Councilmember Osuna made a motion to reconvene into regular session at 1:30 a.m. Mayor Pro Tem Reveal seconded the motion. Motion carried. Vote: 5-0

36. Governance Agenda:

Policy Title: Ends Monitoring Process
Review of Ends Monitoring Reports.

Jason Gray discussed affordable housing with the Council and numbers on the Census. He also stated that the acreage count based on the Masterplan Single Family that is not zoned.

37. Consider and act upon calling a public hearing on the consideration of expansion of the boundaries of Frisco Tax Increment Reinvestment Zone #1 and the inclusion of additional public and educational projects and facilities within the Zone.

Councilmember Maso made a motion to call the public hearing for December 19, 2000. Councilmember Simpson seconded the motion. Motion carried. Vote: 5-0

38. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

The following items were discussed:

1. Sign ordinance back to address banner signs and garage sale signs.
2. OTR/OTC ordinance on the December 19, 2000 City Council meeting.
3. SUP for metal building.
4. Soils testing at what stage should be after pads are in place and concern regarding legal issues.
5. Stabilization of sidewalks (sand)
6. Concern of the Frisco Square for cohabitation of sidewalks and trees.
7. Standards for clean and beautiful inspection.
8. Denton County Voter Registrar sheets.
9. Legal review on paperless agenda for procedure manual.
10. City Manager's evaluation.
11. FM 720 on web page
12. Staff to send letter concerning Shaddock Substation.

39. Discussion on Governance's Monitoring of present City Council Meeting.

Councilmember Osuna discussed the monitoring.

40. Adjourn.

Councilmember Nichols made a motion to adjourn the meeting at 2:00 a.m. Councilmember Simpson seconded the motion. Motion carried. Vote: 5-0

Kathleen A. Seei, Mayor

ATTEST:

Nan Parker, City Secretary